



Brian Boland, Chairperson
Jerry Driscoll, Member
John Hart, Member (absent)

Board Meeting Agenda, Wednesday, February 5, 2014
Third Floor Conference Room, Walt Sullivan Building
1315 East Lockey, Helena, Montana

8:00 A.M.

Call to order
Staff attorney's comments –
 716-2014 Justin Haveman v. DLI – Petition for Judicial Review
 725-2014 Liane Albus v. Andy's Supper Club – Petition for Judicial Review
Public comments
Approval of January minutes

SCHEDULED REVIEWS

Between 8:00 A.M. and 9:00 A.M.

Case #: 1113-2014

Appellant: Letecia Tallwhiteman

Respondent: Dept of Labor and Industry

ISSUE: Whether the claimant is available for work, able to work and seeking work, and therefore is eligible to receive benefits under the Emergency Unemployment Compensation Act of 2008, Pub. L. No. 110-252, as provided in Mont. Code Ann. § 39-51-2104 and Admin. R. Mont. 24.11.452A.

Case #: 894-2014

Appellant: Jon Cruson/Attorney David Berkoff

Respondent: Missoula Electric Cooperative Inc./Attorney David Cotner

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

Case #: 961-2014

Appellant: Gene Holman

Respondent: Cucancic Construction Inc.

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

Between 9:00 A.M. and 10:00 A.M

Case #: 888-2014

Appellant: Stacey Houchin

Respondent: Tweedy Enterprises LLC

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or 39-51-2303 (discharge for misconduct).

Case #: 908-2014

Appellant: Duey Honka

Respondent: YMCA of Helena Inc.

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

Case #: 925-2014

Appellant: Avitus Inc.

Respondent: Dewanda Little Coyote/Attorney Ben Sather

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or 39-51-2303 (discharge for misconduct).

Between 10:00 A.M. AND 11:00 A.M.

Case #: 999-2014

Appellant: Douglas Lemire

Respondent: Myre Inc.

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or 39-51-2303 (discharge for misconduct).

Case #: 981-2014

Appellant: Sharon Loumer-Fox

Respondent: Bentley Miller Montana Inc.

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or 39-51-2303 (discharge for misconduct).

Case #: 990-2014

Appellant: Justin Stiffler

Respondent: Dept of Labor and Industry

ISSUE #1: Whether the appeal was timely filed or whether the appellant had good cause to delay filing the appeal as provided in Mont. Code Ann. § 39-51-2403. (4 days late to Board of Labor Appeals)

ISSUE #2: Whether the claimant is ineligible to receive benefits under the Emergency Unemployment Compensation Act of 2008, Title IV, Pub. L. No. 110-252, based on a failure to register with a local job service office in accordance with Mont. Code Ann. § 39-51-2104.

Between 11:00 A.M. AND 12:00 P.M.

Case #: 1008-2014

Appellant: Cynthia Miller

Respondent: Rocky Mountain Hospice

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or 39-51-2303 (discharge for misconduct).

Case #: 989-2014

Appellant: Pamela Ford

Respondent: Custom Sharpening by Hand

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or 39-51-2303 (discharge for misconduct).

Case #: 1048-2014

NEW MATERIAL

Appellant: Dana Knievel

Respondent: Town Pump

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or 39-51-2303 (discharge for misconduct).

LUNCH BREAK – 12:00 to 1:00

Between 1:00 p.m. and 2:00 p.m.

Case #: 973-2014

Appellant: Dorothy Goodween-Michelcic

Respondent: Rob & Gayle Inc.

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

Case #: 1044-2014

Appellant: David Jackson

Respondent: Dept of Labor and Industry

ISSUE: Whether the appeal was timely filed or whether the appellant had good cause to delay filing the appeal as provided in Mont. Code Ann. § 39-51-2402(3). (53 days late to request a hearing)

Case #: 998-2014

Appellant: Houston Siracusa

Respondent: Kyong LLC

ISSUE: Whether the claimant is qualified to receive benefits under the Emergency Unemployment Compensation Act of 2008, Pub. L. No. 110-252, based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or 39-51-2303 (discharge for misconduct).

Between 2:00 p.m. and 3:00 p.m.

Case #: 627-2014

Appellant: Aaron Colangelo

Respondent: D & S Mining & Exploration

ISSUE #1: Whether the appeal was timely filed or whether the appellant had good cause to delay filing the appeal as provided in Mont. Code Ann. § 39-51-2403. (63 days late to Board of Labor Appeals)

ISSUE #2: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or 39-51-2303 (discharge for misconduct).

Case #: 983-2014

Appellant: Youth Homes Inc

Respondent: Amber Gillespie

ISSUE #1: Whether the appeal was timely filed or whether the appellant had good cause to delay filing the appeal as provided in Mont. Code Ann. § 39-51-2403. (7 days late to Board of Labor Appeals)

ISSUE #2: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or 39-51-2303 (discharge for misconduct).

Case #: 1059-2014

Appellant: Joseph Wipf

Respondent: Langford Inc.

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or 39-51-2303 (discharge for misconduct).

Between 3:00 p.m. and 4:00 p.m.

Case #: 1049-2014

Appellant: Arlyne Dryer

Respondent: A Plus Healthcare

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or 39-51-2303 (discharge for misconduct).

Case #: 1073-2014

Appellant: Colleen Wolcott

Respondent: Marali Inc.

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or 39-51-2303 (discharge for misconduct).

Case #: 891-2014

Appellant: Arla Wilson

Respondent: Crouch Jewelry

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in Mont. Code Ann. § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

ADJOURN